

Idaho Department of Water Resources

63-4067

T03N R02E S23



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 2-9-05
1987 NAPP Photography

500 0 500 1000 1500 Feet

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-04067
Date Received: 5/15/1989
Receipt No: C-006787
Received By: AL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERHARD P. RUSCHMAN 208-342-7120
Address: 2231 SUMAC
BOISE, ID 83706

AND/OR
Name: WANDA RUSCHMAN 208-342-7120
Address: 2231 SUMAC
BOISE, ID 83706

2. Date of Priority: FEB 25, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02E	23	SW	SW	NE		ADA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.100		

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A63-04067

Page 1

Date: 05/15/89

MICROFILMED

AUG 20 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	02E	23	SW NE		IRR	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
PROPERTY IS LOT 8, YEAZY PARK LOT 1 SUBDIVISION.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Richard P. Rushman Date: 5/15/89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day

of May 19 89

Seal

[Signature]
Notary Public

Residing at Boise, ID

My Commission Expires June 10, 1994

02/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4067

NAME AND ADDRESS: GERHARD P RUSCHMAN
2231 SUMAC
BOISE ID 83706

WANDA RUSCHMAN
2231 SUMAC
BOISE ID 83706

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
2.250 AFY

PRIORITY DATE: 02/25/1957

POINT OF DIVERSION:

T03N R02E S23 SWSWNE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.020 CFS 2.25 AFY

PLACE OF USE: IRRIGATION Within ADA County

T03N R02E S23 SWNE 0.5

0.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Parcel No.: R8992000051

PROPERTY IS ALSO KNOWN AS LOT 8, YEAZY PARK LOT 1 SUBDIVISION

Idaho Department of Water Resources

63-4067

T03N R02E S23



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Sections
- ▭ Quarter Quarter



IDWR

Prepared by: Sandy Egbert

Date: 2-9-05

1987 NAPP Photography

500 0 500 1000 1500 Feet

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4067 V1

WATER RIGHT NUMBER: 63-4067 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GERHARD P RUSCHMAN 2231 SUMAC BOISE, ID 83706 (208)342-7120
Current Owner	WANDA RUSCHMAN 2231 SUMAC BOISE, ID 83706 (208)342-7120

Priority Date: 02/25/1957

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.020 CFS	2.25 AF
	<u>Total Diversion:</u>	0.100 CFS	2.25 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NE1/4	Sec. 23, Twp 03N, Rge 02E, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	02E	23				.5													.5

Total Acres: 0.5

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

1. Explanatory Parcel No.: R8992000051
2. Explanatory PROPERTY IS ALSO KNOWN AS LOT 8, YEAZY PARK LOT 1 SUBDIVISION

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-4067 V1

Comments:

1. segbert 2/9/2005 POD
Comment: Updated shape

2. segbert 2/9/2005 POU
Comment: Updated Shape

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	2/9/2005 8:42:28 AM	segbert			Active
POD	2/9/2005 8:43:07 AM	segbert			Active
Source	2/9/2005 8:49:56 AM	segbert			Active
POU	2/9/2005 8:50:37 AM	segbert			Active
Use	2/9/2005 8:53:21 AM	segbert			Active
Season	2/9/2005 8:54:51 AM	segbert			Active
Quantity	2/9/2005 8:58:03 AM	segbert			Active
Summary			02/09/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4067 V1

Priority Date	2/9/2005 8:42:28 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - 1939 and 1964 aerial photography Ada County Assessors web site says the house was built in 1939
POD	2/9/2005 8:43:08 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	2/9/2005 8:49:56 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Claim states well was had dug by claimant
POU	2/9/2005 8:50:37 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Ada County Tax Lot data

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-4067 V1

Quantity	2/9/2005 8:58:03 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 4.5 (field headgate requirement) x .5 (acres) = 2.25
Summary	2/9/2005 9:00:09 AM	segbert	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Season	2/9/2005 8:54:51 AM	segbert	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Use	2/9/2005 8:53:22 AM	segbert	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Aerial photos

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-4067

WATER RIGHT NUMBER: 63-4067

Owner Type Name and Address

Current Owner GERHARD P RUSCHMAN ✓
2231 SUMAC
BOISE, ID 83706
(208)342-7120

Current Owner WANDA RUSCHMAN
2231 SUMAC
BOISE, ID 83706
(208)342-7120

Priority Date: 02/25/1957

Basis: ~~Statutory Claim~~ B.U.

Status: Active ✓

Source

GROUND WATER ✓

TributaryBeneficial Use

IRRIGATION ✓

From To Diversion Rate Annual Volume

4/01 to 10/31 ✓ 0.100 CFS ✓ ~~1.44~~ 2.25

Total Diversion: 0.100 CFS ✓

.02

Location of Point(s) of Diversion

GROUND WATER

ADA County

SW1/4SW1/4NE1/4

Sec. 23, Twp 03N, Rge 02E, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
03N	02E	23			1.0														1.0

.5

Total Acres: 1

Conditions of Approval:Remarks:

1. General PROPERTY IS LOT 8, YEAZY PARK LOT 1 SUBDIVISION. ✓

Comments:Dates and Other Information:

R 8992000051

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-4067

Claim Received Date: 5/15/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid 51.00
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☒ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) 63-4067

Owner: _____ Phone No. _____

Current Address: _____

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER _____
- ☐ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: _____

PRIORITY DATE

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☐ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: _____

(If priority date, based on your exam, seems questionable, explain below.)

Source: _____ Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☒ No change
- ☐ POD found is different than claimed: _____
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID

Description of diverting works

OVERLAP REVIEW

Other water rights with the same point of diversion: _____

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain: _____

WATER USES☒ No change☐ Different Uses

Use irrigation From _____ To _____ Amount _____ CFS 4400 AFA 14.5

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME – Groundwater only

- ☒ Incomplete on claim, the total is, Amount .02 CFS 4400 AFA 2.25
- ☐ Changes found, the new total is, Amount _____ CFS _____ AFA
- ☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)

NON-IRRIGATION USES:

- ☐ No change
- ☐ Changes Exam found: Domestic # of homes _____ Stock # _____
- Types _____ Additional comments: _____

PLACE OF USE:

- ☒ No Change
- ☐ Changes shown below:

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Overlap with other water rights: None

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

Delivery System Narrative:

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS:

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

House was built in 1910 according to Ada Co. Assessor's well site. 1939 photography shows a house & maybe some irrigation. The 1964 photography shows a definite mature yard and shrubbery being irrigated so recommend the 1957 priority date as accurate.

Diversion rate for .4 acres should be .02 CFS. The claimant has a house and .4 acres so reduced the acreage to .5 and the CFS to .02.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☐ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☐ Completed map and or GIS layout showing POD's and POU

Review
DATE ~~EXAM~~ CONDUCTED: 2-9-05

FIELD EXAMINER: Sandy Egbert

Receipt Details for ID C006787

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
5/15/1989 3:19:33 PM	5/15/1989	State	\$51.00	Cash
Payer		RUSCHMAN, GERHARD		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$51.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4067		\$51.00	Claim

[Print Report](#)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4067

02/09/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-4067	Claim	03N	02E	23	SW	NE		IRRIGATION	1/1	GERHARD P RUSCHMAN
63-185	Water Right	03N	02E	23	SW	NE		IRRIGATION	30.5/36.8	MEEVES WATER USERS ASSN
63-2392	Water Right	03N	02E	23	SW	NE		IRRIGATION		DRAINAGE DIST NO 3
63-2897	Water Right	03N	02E	23	SW	NE		IRRIGATION	2/3	CHESTER RYALS
63-4067	Water Right	03N	02E	23	SW	NE		IRRIGATION	1/1	GERHARD P RUSCHMAN

Identification No.

Claim No. 63-4067

Map No.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Gerhard P. Ruschman
post office address 2231 Sumac, Boise, Idaho

2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 23 Township 3 N
Range 2 E B.M. located on ground water
(name of source)
tributary to in Ada County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

February 25, 1957 amount: .10 c.f.s. or acre feet
 amount: c.f.s. or acre feet
 amount: c.f.s. or acre feet
Total claimed .10 c.f.s. or acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from 4-1 to 10-31 (both dates inclusive)
use period of use from to (both dates inclusive)
use period of use from to (both dates inclusive)
use period of use from to (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of
 ; length is feet; height is feet;
width at bottom is feet; width at top is feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known

b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 16 1/2 feet; diameter of well is 36 inches; type of pump is modified Parma water lifter
capacity of pump is g.p.m.; name and address of well driller is hand dug by self

63-4067

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

- b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____
 The other users and their respective
 interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
 name of town supplied _____
8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
 and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
 giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

I flood irrigate with my pump

State of Idaho

County of Ada ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this

13

day of

July

1970

Richard P. Rushman
 Claimant

Donald P. Edmon
 Notary Public

Residing at

Boise, Idaho

My commission expires

2-18-1974

For Department Use Only

Received by File

Date

7-17-70

Rec'd #
4903

Exception filed by:

Forwarded to

Date

claimant by:

Prelim. check by File

Date

7-13-70

Fee received by File

Date

7-13-70

Fee \$ 10.00

Approved for publication by D

Published in Boise

Dates

7-23-70 to 7-30-70

63-4067